

Shipton by Beningbrough Complaints Procedure

Prepared by the Parish Council Clerk (M Remmer)

Adopted at the meeting held: _____

Agenda item number: _____

Signature of Chair: _____

Name of Chair: _____

SHIPTON BY BENINGBROUGH PARISH COUNCIL FORMAL CODE OF PRACTICE IN HANDLING COMPLAINTS

We aim to provide the best possible services to our customers – the people and organisations who make up the community in Shipton. It may not always be possible to meet everyone's needs but our response should always be helpful, courteous and efficient.

Problems will arise from time to time and many will be resolved in discussion with officers of the Council. If you have not previously raised your concern with the Council, you should contact the Parish Council Clerk by email, phone, or letter and request that action be taken. Such a request *will not* be treated as a complaint.

On occasion, however, you may feel that your particular problem has not been given proper attention or has been mishandled and you wish to complain.

This document explains how to make a complaint about the Parish Council, a Councillor or the Clerk.

1. If a complaint about procedures or administration is notified orally to a councillor or the Clerk to the Council and it is not possible to satisfy the complainant in full immediately, the complainant shall be asked to put his/her complaint in writing to the Clerk to the Council and receive an assurance on receipt that the matter will be dealt with promptly, within 10 working days unless a response is given stating it will take longer.
2. If a complainant indicates that he/she would prefer not to put the complaint to the Clerk to the Council then he/she should be advised to put it to the Chair of Council.
3. On receipt of a written complaint, the Clerk to the Council or the Chairman, as the case may be, shall (except where the complaint is about his own actions) try to settle the complaint directly with the complainant within the existing policy of the council, but shall not do so in respect of a complaint about the behaviour of the Clerk to the Council or a Councillor without notifying the person complained of and giving him an opportunity to comment on the manner in which it is intended to attempt to settle the complaint. Where the Clerk to the Council or Chairman receives a written complaint about his own actions, he/she shall immediately refer the complaint to the council.
4. The Clerk to the Council or the Chairman shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
5. The Clerk to the Council or the Chairman shall bring any written complaint that cannot be settled to the next meeting of the council, and

the Clerk to the Council shall notify the complainant of the date on which the complaint will be considered.

6. The council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and the public. If the matter is a complaint of the Clerk to the Council such that the council or the Clerk to the Council believes that the matter may lead to a disciplinary hearing then the matter must be heard with the press and public excluded. In this event, if the complaint is of any employee, even if the matter is being dealt with initially out of the context of a formal disciplinary hearing, then the employee is entitled to have a representative present to act as set out in the Employment Relations Act 1999 s.10. The matter before the council in this case will be to establish whether there is a factual basis to the complaint and the action that should then be taken. The proceedings at this stage cannot be a formal disciplinary hearing, which must be convened on a separate occasion in the proper manner.
7. As soon as may be after the decision has been made it and the nature of any action to be taken shall be communicated in writing to the complainant.
8. In the event of serial facetious, vexatious or malicious complaints from a member of the public the council should consider taking legal advice before writing any letters to the complainant.

The Clerk can be contacted via email at clerk@shiptonbybeningbroughcommunity.org.uk; or in writing to Sunnyside, Shipton by Beningbrough, York, YO30 1AL or by calling 07424470981.

Reviewed and adopted by Shipton by Beningbrough, Council May 2024.